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cided against the discharge. The *Salem's cargo*, p. 389, denies to the master of a vessel the power to discharge cargo from the lien of the freight due by a charter party, by signing special bills of lading. In the *Triumph*, p. 428, as in the *Blaireau*, the right of seamen to become salvors, under special circumstances, is admitted. That noted and shameless vagrant, the yacht *Wanderer*, leaves her trace in jurisprudence, by occasioning the decision at p. 505, that a vessel may be forfeited by engaging in an unlawful trade, though it be by the pure act of the master, without the authority or knowledge of the owner. The *May Queen*, p. 522, gives an admiralty lien for towage service to a vessel employed exclusively within harbor limits. And finally, as all our thoughts now, however usefully employed, at last revert to the one absorbing topic of the time, the volume closes with two charges of Judge Sprague, one on the fugitive slave law, the other on the duties of the citizens during the present rebellion. The chasm of thought which lies between these two subjects of judicial deliverance is a history in itself.

PENNSYLVANIA STATE REPORTS, VOL. XXXVII: Comprising Cases adjudged in the Supreme Court of Pennsylvania. By ROBERT E. WRIGHT, State Reporter, Vol. I. Containing Cases decided in May and October Terms, 1860, and in January Term, 1861. Philadelphia: Kay & Brother, Law Booksellers, Publishers, and Importers, No. 19 South Sixth Street, East Side. 1861.

The first volume of the new Reporter for Pennsylvania is before us. It is neither a grateful nor an easy task to report the decisions of any legal tribunal. In the early days of reporting, the reporter always was in Court, and heard and noted the proceedings at the time: he was also a stipendiary of the government, and had no other or further interest in his reports than to have them accurate and satisfactory to his brethren of the Bar. It may be doubted, whether we have improved on the wisdom of our fathers. The reporters of modern times (we make the remark generally, and do not mean to apply it to the present reporter,) have a deep pecuniary interest in swelling the number of pages and volumes of their labors, and the booksellers continually tax the profession for comparatively useless books of reports. By legislation in some States, all cases determined by the Superior Court must be reported; by the legislation of other States, as our own for instance, only such cases as are marked by the judges "to be reported," find their way into the regular State reports.

It is certainly much to be desired that careful and well prepared reports

of all important cases, or cases involving important principles, should be in the hands of the bar for their guidance and instruction, and for the use and benefit of the community.

The present reporter, Mr. Wright, has followed the usual practice in Pennsylvania, and reported in his volume such cases as the judges designated. Some of these cases are of great practical importance, and we propose to call attention to a few of them. *Guthries' Appeal*, p. 9, gives us the proper application of the rule in Shelley's case, and discusses the creation of life estates by devise and the descents of estates tail. These are nice matters of professional learning, and the opinion of Mr. Justice Strong is able and exhaustive. This case was not determined without much judicial doubt and difficulty, Chief Justice Lowrie dissenting. It has been reported for the readers of this Journal, ante p. 354, where a note will also be found of some interest. It is to be hoped that the judicial mutations, of which this Guthrie's Appeal is the latest phase, have reached a resting point, and that the law is now finally determined in Pennsylvania, and will require no further discussion.

Kay vs. Scates, p. 31, is another important and interesting case, which has also been reported in the columns of this Journal, ante, p. 385. This case considerably modifies the English law of trusts, and follows *Kuhn vs. Newman*, 2 Casey, 227, which has been the subject of much professional criticism. This last case is now again affirmed, and it and the cases which have followed it must be considered as now the law of Pennsylvania, though they have not been accepted without a vigorous professional struggle to prevent their domestication.

The case of *Arbuckle vs. Thompson*, p. 170, determines a point of some practical moment, as it enables the consignee of goods delivered to a common carrier for transportation, to maintain an action for a failure to transport or deliver them where there is no evidence of ownership in the consignee, and that the bill of lading is sufficient to make a *prima facie* case of ownership to enable the party holding it to sustain his action.

The Iron Bank vs. The City of Pittsburg, p. 340, is a valuable and interesting opinion on the constitutionality of the taxation of bank discounts, and upon the inviolability of charters without the consent of the corporators. The opinion of Mr. Justice Woodward contains a review of the cases in the Federal Courts, and a clear and admirable summary of the law as it now is, deduced from the Supreme Court adjudications.

Reed vs. Gracy, p. 508, is an admirable illustration of the well settled

rule of law that personal property follows the owner's domicile, although in this case it is presented in a new and curious form.

As usual, in all our later reports, the law of husband and wife receives copious illustration, and our married woman's act plays its conspicuous part. The cases are too numerous and too long to be particularized, and the interested reader must consult the volume itself.

The cases of *Com. vs. Commissioners, &c., of Allegheny*, p. 237, 277, and *Diamond vs. Lawrence Co.*, p. 353, give us a further illustration of the law of municipal bonds; a vexatious subject that has exercised, and it is to be feared, must continue to exercise much professional skill and talent. The Courts in this State, and elsewhere, have held the law on this subject with a firm hand, and the multiform efforts of bodies corporate and politic, to escape the legal consequences of their rashness, and perhaps folly, have not heretofore been crowned with success, the Courts wisely considering that counties, like individuals, must perform their contracts, whether they have been made with or without discretion.

The subjects of attachment and attachment execution have received additional illustration in the cases of *Bierne vs. Cunningham*, p. 228, and *Shriver vs. Harbaugh*, p. 399.

The case of *Weimar vs. Clement*, p. 147, on the law of sales is a case of considerable practical importance in the law of warranty on the sale of chattels, and of misrepresentation and deceit.

As a whole, the volume contains an unusual number of interesting and important cases which will arrest professional attention wherever the book is read. The duties of the reporter appear in general to have been properly executed, and the reports and head notes are clear and intelligible.

REPORTS OF CASES Argued and Determined in the Court of Chancery, and on Appeal in the Court of Errors and Appeals of the State of New Jersey. MERCER BEASLEY, Reporter. Vol. I. Trenton: Printed by PHILLIPS & BOSWELL, No. 4 Chancery Court. 1860.

The high character maintained by the New Jersey Chancery tribunals, will in no wise be diminished by the publication of this volume. The present reporter, Mr. Beasley of Trenton, is a gentleman who has long enjoyed a large and important chancery practice, and has a complete knowledge of the business details, as well as a matured and carefully cultivated scientific experience in the leading departments of Equity. In selecting a gentleman so well known to be skilful and competent, the present learned Chancellor has shown that he has profited by his own experience as a Chancery reporter, and well knows that acquirements of a